



Mail Stop RCE

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

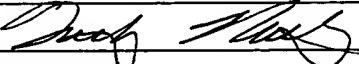
Mail Stop RCE		Application Number	09/670,781
TRANSMITTAL FORM		Filing Date	September 27, 2000
(To be used for all correspondence after initial filing)		Confirmation Number	6751
		Inventor(s)	DALY
		Group Art Unit	1761
Express Mail Label No.: EL 997386010 US		Examiner	Weinstein, S.
Total Number of Pages in This Submission: 28		Attorney Docket No.	00-39 RCE

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (submit in duplicate)	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet
<input checked="" type="checkbox"/> Fee Attached \$ 2,540.00	<input type="checkbox"/> Cover Sheet	<input type="checkbox"/> After Allowance Communication to Group
Check No.: 1279	<input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Request for Return of PTO-1449 Forms	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to the Commissioner	<input checked="" type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Affidavits / Declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Request Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Address	<input type="checkbox"/> Small Entity Statement
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer(s)	<input type="checkbox"/> Request for Refund
<input checked="" type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Cited References	<input checked="" type="checkbox"/> Certificate of Mailing by Express Mail	
<input type="checkbox"/> Search report		
<input type="checkbox"/> Drawing(s): Number of Pages _____	<input type="checkbox"/> Other Enclosure(s): _____	
Number of Figs. _____ and cover sheet		
<input type="checkbox"/> Formal		
<input type="checkbox"/> Informal		

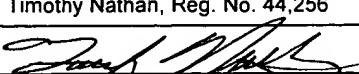
Current Due Date: May 5, 2005 (one month extended)

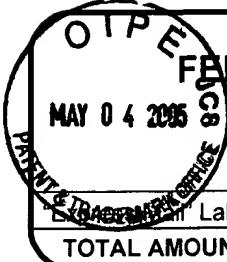
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	
Date	May 4, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:
Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: May 4, 2005,
Express Mail Label No. EL 997386010 US.

Typed Name	Timothy Nathan, Reg. No. 44,256
Signature	
Date	May 4, 2005



FEE TRANSMITTAL

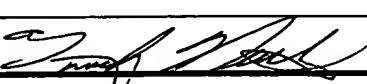
(Effective 12/08/2004)

Label No. EL 997386010 US

TOTAL AMOUNT OF PAYMENT \$ 2,540.00

Application Number	09/670,781
Filing Date	September 27, 2000
First Named Inventor	DALY
Confirmation Number	6751
Group Art Unit	1761
Examiner's Name	Weinstein, S.
Attorney Docket No.	00-39 RCE

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																																																		
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number 50-0558 Deposit Account Name Respiration, Inc.		3. APPLICATION SIZE FEE <p>If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S.C. § 41(a)(1)(G) and 37 C.F.R. § 1.16(s).</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 fraction thereof</th> <th>Fee(\$)</th> <th>Fee Paid(\$)</th> </tr> </thead> <tbody> <tr> <td>0 - 100 = 0</td> <td>0 / 50 = 0</td> <td>(round up to a whole number)</td> <td>X 250 = 0.00</td> <td></td> </tr> </tbody> </table> 4. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or declaration</td> <td></td> </tr> <tr> <td>1811</td> <td>100</td> <td>1811</td> <td>100</td> <td>Certificate of Correction</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>576</td> <td>25</td> <td>576</td> <td>25</td> <td>Additional filing receipt, duplicate or corrected due to applicant error</td> <td></td> </tr> <tr> <td>1251</td> <td>120</td> <td>2251</td> <td>60</td> <td>Extension for response within first month</td> <td>120.00</td> </tr> <tr> <td>1252</td> <td>450</td> <td>2252</td> <td>225</td> <td>Extension for response within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>1,020</td> <td>2253</td> <td>510</td> <td>Extension for response within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,590</td> <td>2254</td> <td>795</td> <td>Extension for response within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,160</td> <td>2255</td> <td>1,080</td> <td>Extension for response within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>500</td> <td>2401</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>500</td> <td>2402</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>1,000</td> <td>2403</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1452</td> <td>500</td> <td>2452</td> <td>250</td> <td>Petition to revive unavoidably abandoned application</td> <td></td> </tr> <tr> <td>1453</td> <td>1,500</td> <td>2453</td> <td>750</td> <td>Petition to revive unintentionally abandoned application</td> <td></td> </tr> <tr> <td>1501</td> <td>1,400</td> <td>2501</td> <td>700</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>800</td> <td>2502</td> <td>400</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1814</td> <td>130</td> <td>2814</td> <td>65</td> <td>Statutory Disclaimer</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Director</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td>180.00</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of property)</td> <td></td> </tr> <tr> <td>1801</td> <td>790</td> <td>2801</td> <td>395</td> <td>Request for Continued Examination</td> <td>790.00</td> </tr> <tr> <td>1504</td> <td>300</td> <td>1504</td> <td>300</td> <td>Publication Fee</td> <td></td> </tr> <tr> <td colspan="4">Other Fee (specify) _____</td> <td>SUBTOTAL (3)</td> <td>\$ 1,090.00</td> </tr> <tr> <td colspan="2">SUBTOTAL (1)</td> <td colspan="2">\$ 0.00</td> <td colspan="2">SUBTOTAL (2)</td> <td colspan="2">\$ 1,450.00</td> </tr> <tr> <td colspan="8"> 2. CLAIMS <table border="1"> <thead> <tr> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>39 - 22 *</td> <td>17 x 50 =</td> <td>850.00</td> </tr> <tr> <td>6 - 3 *</td> <td>3 x 200 =</td> <td>600.00</td> </tr> <tr> <td colspan="2">Multiple Dependent Claims add</td> <td>0.00</td> </tr> </tbody> </table> <p>* Enter Highest Number Previous Paid For</p> <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>1202 50</td> <td>2202 25</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201 200</td> <td>2201 100</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203 360</td> <td>2203 180</td> <td>Multiple dependent claim</td> </tr> <tr> <td>1204 200</td> <td>2204 100</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>1205 50</td> <td>2205 25</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table> </td> </tr> </tbody> </table>					Total Sheets	Extra Sheets	Number of each additional 50 fraction thereof	Fee(\$)	Fee Paid(\$)	0 - 100 = 0	0 / 50 = 0	(round up to a whole number)	X 250 = 0.00		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or declaration		1811	100	1811	100	Certificate of Correction		1812	2,520	1812	2,520	For filing a request for reexamination		576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error		1251	120	2251	60	Extension for response within first month	120.00	1252	450	2252	225	Extension for response within second month		1253	1,020	2253	510	Extension for response within third month		1254	1,590	2254	795	Extension for response within fourth month		1255	2,160	2255	1,080	Extension for response within fifth month		1401	500	2401	250	Notice of Appeal		1402	500	2402	250	Filing a brief in support of an appeal		1403	1,000	2403	500	Request for oral hearing		1452	500	2452	250	Petition to revive unavoidably abandoned application		1453	1,500	2453	750	Petition to revive unintentionally abandoned application		1501	1,400	2501	700	Utility issue fee (or reissue)		1502	800	2502	400	Design issue fee		1814	130	2814	65	Statutory Disclaimer		1460	130	1460	130	Petitions to the Director		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt	180.00	8021	40	8021	40	Recording each patent assignment per property (times number of property)		1801	790	2801	395	Request for Continued Examination	790.00	1504	300	1504	300	Publication Fee		Other Fee (specify) _____				SUBTOTAL (3)	\$ 1,090.00	SUBTOTAL (1)		\$ 0.00		SUBTOTAL (2)		\$ 1,450.00		2. CLAIMS <table border="1"> <thead> <tr> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>39 - 22 *</td> <td>17 x 50 =</td> <td>850.00</td> </tr> <tr> <td>6 - 3 *</td> <td>3 x 200 =</td> <td>600.00</td> </tr> <tr> <td colspan="2">Multiple Dependent Claims add</td> <td>0.00</td> </tr> </tbody> </table> <p>* Enter Highest Number Previous Paid For</p> <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>1202 50</td> <td>2202 25</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201 200</td> <td>2201 100</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203 360</td> <td>2203 180</td> <td>Multiple dependent claim</td> </tr> <tr> <td>1204 200</td> <td>2204 100</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>1205 50</td> <td>2205 25</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>								Extra Claims	Fee from Below	Fee Paid	39 - 22 *	17 x 50 =	850.00	6 - 3 *	3 x 200 =	600.00	Multiple Dependent Claims add		0.00	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	1202 50	2202 25	Claims in excess of 20	1201 200	2201 100	Independent claims in excess of 3	1203 360	2203 180	Multiple dependent claim	1204 200	2204 100	Reissue independent claims over original patent	1205 50	2205 25	Reissue claims in excess of 20 and over original patent
Total Sheets	Extra Sheets	Number of each additional 50 fraction thereof	Fee(\$)	Fee Paid(\$)																																																																																																																																																																																																																
0 - 100 = 0	0 / 50 = 0	(round up to a whole number)	X 250 = 0.00																																																																																																																																																																																																																	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																															
1051	130	2051	65	Surcharge - late filing fee or declaration																																																																																																																																																																																																																
1811	100	1811	100	Certificate of Correction																																																																																																																																																																																																																
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																																																																																
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error																																																																																																																																																																																																																
1251	120	2251	60	Extension for response within first month	120.00																																																																																																																																																																																																															
1252	450	2252	225	Extension for response within second month																																																																																																																																																																																																																
1253	1,020	2253	510	Extension for response within third month																																																																																																																																																																																																																
1254	1,590	2254	795	Extension for response within fourth month																																																																																																																																																																																																																
1255	2,160	2255	1,080	Extension for response within fifth month																																																																																																																																																																																																																
1401	500	2401	250	Notice of Appeal																																																																																																																																																																																																																
1402	500	2402	250	Filing a brief in support of an appeal																																																																																																																																																																																																																
1403	1,000	2403	500	Request for oral hearing																																																																																																																																																																																																																
1452	500	2452	250	Petition to revive unavoidably abandoned application																																																																																																																																																																																																																
1453	1,500	2453	750	Petition to revive unintentionally abandoned application																																																																																																																																																																																																																
1501	1,400	2501	700	Utility issue fee (or reissue)																																																																																																																																																																																																																
1502	800	2502	400	Design issue fee																																																																																																																																																																																																																
1814	130	2814	65	Statutory Disclaimer																																																																																																																																																																																																																
1460	130	1460	130	Petitions to the Director																																																																																																																																																																																																																
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																																																																
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00																																																																																																																																																																																																															
8021	40	8021	40	Recording each patent assignment per property (times number of property)																																																																																																																																																																																																																
1801	790	2801	395	Request for Continued Examination	790.00																																																																																																																																																																																																															
1504	300	1504	300	Publication Fee																																																																																																																																																																																																																
Other Fee (specify) _____				SUBTOTAL (3)	\$ 1,090.00																																																																																																																																																																																																															
SUBTOTAL (1)		\$ 0.00		SUBTOTAL (2)		\$ 1,450.00																																																																																																																																																																																																														
2. CLAIMS <table border="1"> <thead> <tr> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>39 - 22 *</td> <td>17 x 50 =</td> <td>850.00</td> </tr> <tr> <td>6 - 3 *</td> <td>3 x 200 =</td> <td>600.00</td> </tr> <tr> <td colspan="2">Multiple Dependent Claims add</td> <td>0.00</td> </tr> </tbody> </table> <p>* Enter Highest Number Previous Paid For</p> <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>1202 50</td> <td>2202 25</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201 200</td> <td>2201 100</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203 360</td> <td>2203 180</td> <td>Multiple dependent claim</td> </tr> <tr> <td>1204 200</td> <td>2204 100</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>1205 50</td> <td>2205 25</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>								Extra Claims	Fee from Below	Fee Paid	39 - 22 *	17 x 50 =	850.00	6 - 3 *	3 x 200 =	600.00	Multiple Dependent Claims add		0.00	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	1202 50	2202 25	Claims in excess of 20	1201 200	2201 100	Independent claims in excess of 3	1203 360	2203 180	Multiple dependent claim	1204 200	2204 100	Reissue independent claims over original patent	1205 50	2205 25	Reissue claims in excess of 20 and over original patent																																																																																																																																																																															
Extra Claims	Fee from Below	Fee Paid																																																																																																																																																																																																																		
39 - 22 *	17 x 50 =	850.00																																																																																																																																																																																																																		
6 - 3 *	3 x 200 =	600.00																																																																																																																																																																																																																		
Multiple Dependent Claims add		0.00																																																																																																																																																																																																																		
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description																																																																																																																																																																																																																		
1202 50	2202 25	Claims in excess of 20																																																																																																																																																																																																																		
1201 200	2201 100	Independent claims in excess of 3																																																																																																																																																																																																																		
1203 360	2203 180	Multiple dependent claim																																																																																																																																																																																																																		
1204 200	2204 100	Reissue independent claims over original patent																																																																																																																																																																																																																		
1205 50	2205 25	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																		

SUBMITTED BY				
Typed or Printed Name	Timothy Nathan			Reg. Number 44,256
Signature		Date May 4, 2005	Deposit Account Number 50-0558	



Certificate of Mailing by "Express Mail"

EL 997386010 US

"Express Mail" label number

May 4, 2005

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.


Signature of person mailing correspondence

Timothy Nathan
Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".